

FILED

10/10/2007

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS

FEB 12 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

IN FORMA PAUPERIS APPLICATION

AND

FINANCIAL AFFIDAVIT

TONY E. Collier
Plaintiff

v.

OFFICER McGUIRE, et al.
Defendant(s)CASE NUMBER 08C 50001
JUDGE FREDERICK J. KAPALA

Wherever is included, please place an X into whichever box applies. Wherever the answer to any question requires more information than the space that is provided, attach one or more pages that refer to each such question number and provide the additional information. Please PRINT:

I, TONY E. COLLIER, declare that I am the plaintiff petitioner movant (other _____) in the above-entitled case. This affidavit constitutes my application to proceed without full prepayment of fees, or in support of my motion for appointment of counsel, or both. I also declare that I am unable to pay the costs of these proceedings, and that I am entitled to the relief sought in the complaint/petition/motion/appeal. In support of this petition/application/motion/appeal, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? Yes No (If "No," go to Question 2)
I.D. # B-39900 Name of prison or jail: PONTIAC C.C.
Do you receive any payment from the institution? Yes No Monthly amount: _____
2. Are you currently employed? Yes No
Monthly salary or wages: _____
Name and address of employer: _____
- a. If the answer is "No":
Date of last employment: N/A
Monthly salary or wages: _____
Name and address of last employer: _____
- b. Are you married? Yes No
Spouse's monthly salary or wages: _____
Name and address of employer: _____
3. Apart from your income stated above in response to Question 2, in the past twelve months have you or anyone else living at the same residence received more than \$200 from any of the following sources? Mark an X in either "Yes" or "No", and then check all boxes that apply in each category.
 - a. Salary or wages Yes No
Amount _____ Received by _____

b. Business, profession or other self-employment Yes No
 Amount _____ Received by _____

c. Rent payments, interest or dividends Yes No
 Amount _____ Received by _____

d. Pensions, social security, annuities, life insurance, disability, workers' compensation, unemployment, welfare, alimony or maintenance or child support Yes No
 Amount _____ Received by _____

e. Gifts or inheritances Yes No
 Amount _____ Received by _____

f. Any other sources (state source: _____) Yes No
 Amount _____ Received by _____

4. Do you or anyone else living at the same residence have more than \$200 in cash or checking or savings accounts? Yes No Total amount: _____
 In whose name held: _____ Relationship to you: _____

5. Do you or anyone else living at the same residence own any stocks, bonds, securities or other financial instruments? Yes No
 Property: _____ Current Value: _____
 In whose name held: _____ Relationship to you: _____

6. Do you or anyone else living at the same residence own any real estate (houses, apartments, condominiums, cooperatives, two-flats, three-flats, etc.)? Yes No
 Address of property: _____
 Type of property: _____ Current value: _____
 In whose name held: _____ Relationship to you: _____
 Amount of monthly mortgage or loan payments: _____
 Name of person making payments: _____

7. Do you or anyone else living at the same residence own any automobiles, boats, trailers, mobile homes or other items of personal property with a current market value of more than \$1000? Yes No
 Property: _____
 Current value: _____
 In whose name held: _____ Relationship to you: _____

8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute monthly to their support. If none, check here No dependents

I declare under penalty of perjury that the above information is true and correct. I understand that pursuant to 28 U.S.C. § 1915(e)(2)(A), the court shall dismiss this case at any time if the court determines that my allegation of poverty is untrue.

Date: _____

Tony E. Collier
Signature of Applicant

Tony E. Collier
(Print Name)

NOTICE TO PRISONERS: A prisoner must also attach a statement certified by the appropriate institutional officer or officers showing all receipts, expenditures and balances during the last six months in the prisoner's prison or jail trust fund accounts. Because the law requires information as to such accounts covering a full six months before you have filed your lawsuit, you must attach a sheet covering transactions in your own account--prepared by each institution where you have been in custody during that six-month period--and you must also have the Certificate below completed by an authorized officer at each institution.

CERTIFICATE
(Incarcerated applicants only)
(To be completed by the institution of incarceration)

I certify that the applicant named herein, Tony Collier, I.D.# B39900, has the sum of \$ 1.83 on account to his/her credit at (name of institution) Pontiac Corr Center. I further certify that the applicant has the following securities to his/her credit: _____. I further certify that during the past six months the applicant's average monthly deposit was \$ 17.50. (Add all deposits from all sources and then divide by number of months).

2/5/08
DATE

Janet Jones
SIGNATURE OF AUTHORIZED OFFICER

JANET JONES
(Print name)

Trust Fund

Inmate Transaction Statement

REPORT CRITERIA - Date: 07/02/2007 thru 01/02/2008; Inmate: B39900; Active Status Only? : No; Print Restrictions? : Yes; Transaction Type: All Transaction Types; Print Furloughs / Restitutions? : Yes; Include Inmate Totals? : Yes; Print Balance Errors Only? : No

Inmate: B39900 Collier, Tony E.

Housing Unit: PON-E -02-03

| Date | Source | Transaction Type | Batch | Reference # | Description | Amount | Balance |
|----------|---------------|-------------------------|--------|-------------|---|--------|---------|
| | | | | | Beginning Balance: | 0.23 | |
| 07/09/07 | Mail Room | 01 MO/Checks (Not Held) | 190262 | 023116 | Collier, Joyce | 15.00 | 15.23 |
| 07/18/07 | Point of Sale | 60 Commissary | 199703 | 249064 | Commissary | -1.08 | 14.15 |
| 08/03/07 | Point of Sale | 60 Commissary | 215703 | 250161 | Commissary | -13.69 | .46 |
| 08/13/07 | Mail Room | 01 MO/Checks (Not Held) | 225262 | 023284 | Collier, Joyce | 15.00 | 15.46 |
| 08/15/07 | Disbursements | 80 Postage | 227320 | Chk #64057 | 515307, Pitney Bowes Bank, Inc, Inv. Date: 08/14/2007 | -.41 | 15.05 |
| 08/29/07 | Mail Room | 01 MO/Checks (Not Held) | 241262 | 026829 | Collier, Joyce | 15.00 | 30.05 |
| 09/06/07 | Point of Sale | 60 Commissary | 249731 | 252819 | Commissary | -27.05 | 3.00 |
| 09/13/07 | Disbursements | 81 Legal Postage | 256320 | Chk #64306 | 515641, Pitney Bowes Bank, Inc, Inv. Date: 08/20/2007 | -.82 | 2.18 |
| 09/13/07 | Disbursements | 80 Postage | 256320 | Chk #64306 | 516327, Pitney Bowes Bank, Inc, Inv. Date: 08/27/2007 | -.41 | 1.77 |
| 09/13/07 | Disbursements | 80 Postage | 256320 | Chk #64306 | 516544, Pitney Bowes Bank, Inc, Inv. Date: 08/29/2007 | -.41 | 1.36 |
| 09/13/07 | Disbursements | 80 Postage | 256320 | Chk #64306 | 516842, Pitney Bowes Bank, Inc, Inv. Date: 09/04/2007 | -.41 | .95 |
| 09/13/07 | Disbursements | 80 Postage | 256320 | Chk #64306 | 517363, Pitney Bowes Bank, Inc, Inv. Date: 09/10/2007 | -.41 | .54 |
| 09/13/07 | Disbursements | 84 Library | 256320 | Chk #64307 | 515751, DOC: Library Copies, Inv. Date: 08/20/2007 | -.50 | .04 |
| 10/12/07 | Mail Room | 01 MO/Checks (Not Held) | 285225 | 024140 | Collier, J | 15.00 | 15.04 |
| 10/15/07 | Disbursements | 90 Medical Co-Pay | 288320 | Chk #64701 | 520209, DOC: 523 Fund Reimburs, Inv. Date: 10/11/2007 | -2.00 | 13.04 |
| 10/15/07 | Disbursements | 81 Legal Postage | 288320 | Chk #64702 | 519172, Pitney Bowes Bank, Inc, Inv. Date: 10/01/2007 | -.41 | 12.63 |
| 10/18/07 | Point of Sale | 60 Commissary | 291753 | 256308 | Commissary | -11.78 | .85 |
| 11/13/07 | Disbursements | 80 Postage | 317320 | Chk #65001 | 520945, Pitney Bowes Bank, Inc, Inv. Date: 10/22/2007 | -.41 | .44 |
| 11/13/07 | Disbursements | 80 Postage | 317320 | Chk #65001 | 520825, Pitney Bowes Bank, Inc, Inv. Date: 10/19/2007 | -.41 | .03 |
| 11/14/07 | Mail Room | 01 MO/Checks (Not Held) | 318262 | 027212 | Collier, J | 15.00 | 15.03 |
| 11/21/07 | Point of Sale | 60 Commissary | 325703 | 258941 | Commissary | -13.02 | 2.01 |
| 12/05/07 | Mail Room | 01 MO/Checks (Not Held) | 339262 | 027353 | Collier, Joyce | 30.00 | 32.01 |
| 12/12/07 | Disbursements | 90 Medical Co-Pay | 346320 | Chk #65375 | 521156, DOC: 523 Fund Reimburs, Inv. Date: 10/23/2007 | -2.00 | 30.01 |
| 12/12/07 | Disbursements | 80 Postage | 346320 | Chk #65376 | 525308, Pitney Bowes Bank, Inc, Inv. Date: 12/10/2007 | -.41 | 29.60 |
| 12/12/07 | Disbursements | 80 Postage | 346320 | Chk #65376 | 525087, Pitney Bowes Bank, Inc, Inv. Date: 12/07/2007 | -.41 | 29.19 |
| 12/12/07 | Point of Sale | 60 Commissary | 346731 | 260841 | Commissary | -27.02 | 2.17 |

Total Inmate Funds: 2.74

Less Funds Held For Orders: .00

Less Funds Restricted: .91

Funds Available: 1.83

Total Furloughs: .00

Total Voluntary Restitutions: .00

Time: 10:07am

d_list_inmate_trans_statement_composite

~~Pontiac Correctional Center~~

File # 12/2008

Trust Fund

Inmate Transaction Statement

REPORT CRITERIA - Date: 07/02/2007 thru 01/02/2008; Inmate: B39900; Active Status Only ? : No; Print Restrictions ? : Yes; Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print Balance Errors Only ? : No

Inmate: B39900 Collier, Tony E.**Housing Unit: PON-E -02-03****RESTRICTIONS**

| Invoice Date | Invoice Number | Type | Description | Vendor | Amount |
|----------------------------|----------------|------|----------------|--|---------------|
| 01/16/2008 | 528695 | Disb | Postage | 6967 Pitney Bowes Bank, Inc. | \$0.41 |
| 01/17/2008 | 528906 | Disb | Medical Copies | 99999 DOC: 523 Fund Inmate Reimbursement | \$0.50 |
| Total Restrictions: | | | | | \$0.91 |

United States District Court, Northern District of Illinois

| | | | |
|--|--|--|------------------|
| Name of Assigned Judge or Magistrate Judge | FREDERICK J. KAPALA | Sitting Judge if Other than Assigned Judge | |
| CASE NUMBER | 08 C 50001 | DATE | January 22, 2008 |
| CASE TITLE | Tony E. Collier (#B-39900) vs. Officer McGuire, et al. | | |

DOCKET ENTRY TEXT:

The plaintiff's motion to proceed *in forma pauperis* [#4] is stricken. The plaintiff is directed to submit a renewed i.f.p. petition that is certified by a trust fund officer and that includes copies of his prison trust fund ledgers showing his income for the six months preceding the filing of this action [that is, from July 2, 2007, through January 2, 2008]. Failure to comply within thirty days of the date of this order will result in denial of leave to proceed *in forma pauperis* and summary dismissal of this case. The Clerk is directed to provide the plaintiff with a blank i.f.p. petition along with a copy of this order. The plaintiff is reminded that he must provide the court with the original plus a judge's copy of every document filed.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

The plaintiff, a state prisoner, has brought this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. The plaintiff claims that an officer at the Dixon Correctional Center violated the plaintiff's constitutional rights by using unjustified force against him; the plaintiff additionally sues an Illinois Department of Corrections official for rejecting his ensuing grievance as untimely.

The Clerk has accepted this *pro se* civil rights complaint for docketing pursuant to Fed. R. Civ. P. 5(e) even though it was not submitted in compliance with the rules of this court. An incarcerated person seeking leave to proceed *in forma pauperis* must obtain a certificate from a prison official stating the amount of money the prisoner has on deposit in his or her prison or jail trust fund account. To enable the court to make the necessary assessment of an initial partial filing fee, the prisoner must also "submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined." 28 U.S.C. § 1915(a)(2) (emphasis added). In the case at bar, the plaintiff has failed to include copies of his prison trust fund ledgers for the required time period, submitting instead trust fund ledgers for the period from March 2007 through June 2007.

(CONTINUED)

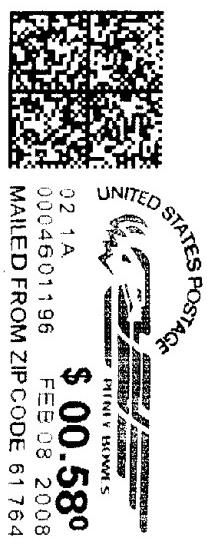
mjm

STATEMENT (continued)

In short, if the plaintiff wants to proceed with this lawsuit, he must submit a certified i.f.p. petition, along with copies of trust fund ledgers showing his income for the six months preceding the filing of this lawsuit [that is, from July 2, 2007, through January 2, 2008]. The Clerk will provide the plaintiff with a blank i.f.p. application. Failure to comply [or, in the alternative, to submit the statutory filing fee of \$350.00] will result in summary dismissal of this suit. *See Zaun v. Dobbin*, 628 F.2d 990 (7th Cir. 1980).

Tony Collier B=39900 E=2=03
Pontiac Conn. Center
P.O. BOX 99
Pontiac, IL 61764

THIS CORRESPONDENCE
IS FROM AN INMATE OF
THE ILLINOIS DEPARTMENT
OF CORRECTIONS



OFFICE OF CLERK
of The U.S. District Court
United States Court House
211 South Court Street
Rockford, Illinois 61101

ENCL: 2193

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